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November 23, 2010

Stanley S. Colvin
Deputy Assistant Secretary
U.S. Department of State
Office of Exchange Coordination and Compliance
ECA/EC/ECC - SA-5, Floor C2
2200 C Street, NW
Washington, DC 20522-0505

**Re: Potential Abuse of J-1 Summer Work program by American Pool
Enterprises, Inc.**

REVIEW AUTHORITY: Charles Lahiguera, Senior
Reviewer

Dear Mr. Colvin,

I am writing with regards to an Owings Mills, Maryland company named American Pool Enterprises, Inc. American Pool was granted a designation by the U.S. Department of State to offer J-1 Summer Work/Travel programs to foreign university students, and employs several non-U.S. citizens each summer in and around the Washington, D.C. area to serve as, among other things, lifeguards. One of their lifeguards worked at the pool at my residence last summer.

On his last day of employment, the American Pool employee working at my building, a 36 year old man from Serbia, attempted to assault me and a guest of mine while he was on duty. After speaking with property managers at some of the other buildings in Washington D.C. with whom American Pool has contracts, it turns out my building was not alone in having what appears to be individuals, employed by American Pool, that do not meet the criteria required for a J-1 work/travel visa (due to their age and student status, at the least).

As you can imagine, it was troubling to be threatened with assault by this older man who was hired by American Pool. I will continue to speak with management at the other buildings in Washington D.C. to ensure they are aware of the kind of people hired by American Pool. However, I also felt it was appropriate to bring to your attention this experience, and recommend an inquiry into the hiring practices of American Pool and their compliance with the Department of State's J-1 program. Not only did this 36 year old individual not appear to be a student, he was unstable and violent.

I would hope that companies such as American Pool, who are entrusted by the State Department with the J-1 program, would do a thorough job of screening their applicants before sending them to the U.S. to work. American Pool needs to take additional steps to ensure not only that their employees are non-violent, but also that they are, in fact, students.

It is an abuse of the J-1 program to knowingly hire non-students outside of the J-1 age and student requirement with the intention of circumventing the labor and employment laws of the United States of America.

I attempted to contact Mitchell Friendlander, President of American Pool, as well as American Pool Division Manager, Scott Small, but they have not responded to my request. I feel comfortable that an investigation into the business practices of American Pool is warranted. Further, with all the unemployment in the U.S. right now it is important to ensure that those seeking to use the J-1 program are meeting the requirements set forth by the U.S. Department of State and Congress. Otherwise, it would seem that the jobs reserved for foreign individuals by companies such as American Pool could be given to Americans in search of employment at home.

Sincerely,



cc: Honorable Dan Burton
Committee on Foreign Affairs
U.S. House of Representatives
2170 Rayburn House Office Building
Washington, DC 20515

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